



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.8861 of 2017

AL.Ganesan

... Petitioner

vs.

1. The Superintendent of Police,  
Pudukkottai District, Pudukkottai.

2. The Sub-Inspector of Police,  
Ponnamaravathi Police Station,  
Ponnamaravathi, Pudukkottai District.

... Respondent

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2<sup>nd</sup> respondent in No.NIL dated NIL and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting Adalum Padalum cultural programme on the eve of Arulmigu Sri Palaniandavar Kovil Chithirai festival on 14.05.2017 situated at Ammapatti Village, Nagarapatti Post, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner : Mr.S.Arivalagan

For Respondents : Mr.V.Muruganandan,

Additional Government Pleader

**O R D E R**

(Order of the Court was made by **T.RAJA, J**)

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2<sup>nd</sup> respondent and quash the same and to direct the respondents herein to grant permission and adequate police protection for conducting Adalum Padalum cultural programme on the eve of Arulmigu Sri Palaniandavar Kovil Chithirai festival on 14.05.2017 situated at Ammapatti Village, Nagarapatti Post, Ponnamaravathi Taluk, Pudukkottai District.



2. Learned counsel for the petitioner submitted that the petitioner is the resident of the said village and the petitioner is the Head of the Festival Committee. The said Chithirai Festival is being conducted in Arulmigu Sri Palaniandavar Kovil from time immemorial. The festival is scheduled to be held on 14.05.2017. The petitioner and other villagers have decided to organise "Aadal Padal programme" at Ammapatti Village, Nagarapatti Post, Ponnamaravathi Taluk, Pudukkottai District, in connection with Arulmigu Sri Palaniandavar Kovil - Chithirai Festival. The programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period. Therefore, the petitioner submitted a representation, dated 08.05.2017 to the second respondent, requesting him to grant permission and necessary police protection therefor. The said representation has been rejected by the second respondent herein by way of the present impugned order, without assigning any valid reason and hence, challenging the same, the petitioner has filed the present writ petition for the above mentioned relief.

3. Heard the learned Special Government Pleader appearing for the respondents on the above submissions made by the learned counsel for the petitioner.

4. A perusal of the impugned order shows that the permission sought for by the petitioner has been rejected without assigning any valid reason. Further, this order cannot be sustained as it is a blanket order refusing permission for particular area. Absolutely, there is no justification in the order passed by the second respondent. Considering the same, this Court passes the following order:-

"The impugned order passed by the second respondent is set aside and the second respondent is directed to grant permission to the petitioner to conduct "Aadal Padal programme" at Ammapatti Village, Nagarapatti Post, Ponnamaravathi Taluk, Pudukkottai District, in connection with Arulmigu Sri Palaniandavar Kovil - Chithirai Festival, subject to the following conditions:

i)The event shall be conducted in an organized and peaceful manner without causing law and order problem.

ii)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

iii)The dance performance shall be restricted between 6.00 p.m and 11.00 p.m. On 14.05.2017.



iv) If there is any violation of the above said conditions, the 2<sup>nd</sup> respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

5. This Writ Petition is accordingly allowed. No costs.

Sd/-

Assistant Registrar/Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Pudukkottai District, Pudukkottai.
2. The Sub-Inspector of Police,  
Ponnamaravathi Police Station,  
Ponnamaravathi, Pudukkottai District.

+1cc to Spl.Government Pleader Sr.No.56294  
+1cc to Mr.S.Arivalagan, Advocate Sr.No.56114

gk/gcg

vb/mr/sar3/11.05.2017/3p/5c

W.P (MD) No.8861 of 2017  
10.05.2017